

## REMARKS

Claims 1 through 39 are now pending in the application. The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1-10, drawn to an article, classified in class 428, subclass 71.
- II. Claims 11-36, drawn to methods of making, classified in class 264, subclass 245.

The Examiner further noted that if Invention II is elected, the application contains claims directed to the following patentably distinct species of the claimed invention:

- a) those claims directed to injection mold a foam layer (cls 11-18, 20-24, and 26-28).
- b) those claims directed to extrusion molding a foam layer (cls 11-17 and 19).
- c) those claims directed to thermoforming a multiple element film (cls 29-30).
- d) those claims directed to thermoforming a sub-component into a completed component (cls 31-36).

Applicants provisionally elect to prosecute Invention II, and further within Invention II, Applicants provisionally elect to prosecute Species (a), having Claims 11-18, 20-24 and 26-28 readable thereon, without traverse. Applicants request that the

non-elected Claims be held in abeyance for further prosecution in future divisional and/or continuation applications. Claims 1-10, 19, 25 and 29-36 have therefore been identified herein as withdrawn, pending a final determination of the status of these Claims by the Examiner.

### CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:   
Paul A. Keller, Reg. No. 29,752

Dated: Dec. 5, 2005

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

PAK/TJK/mmk